

SANTA FE COUNTY

REQUEST FOR PROPOSALS



LA BAJADA RANCH DEVELOPMENT

RFP # 2015-0031-PW/BT

November 2014

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I. ADVERTISEMENT

La Bajada Ranch Development RFP # 2015-0031-PW/BT

Santa Fe County is requesting proposals from qualified Offerors to propose possible offers for the purchase or lease-purchase of property owned by the County. Offerors may also propose a possible Public/Private venture that would include the plan, design, implementation and ultimate operation of the property for the intended benefit of the County and its residents pursuant to Resolution 2012-106. The subject property is the County owned La Bajada Ranch, formerly known as the Santa Fe Canyon Ranch located near the traditional community of La Cienega, south of the City of Santa Fe consisting of 470.55 acres. It is the County's intent that the results from this solicitation would be either the sale of the property as a purchase or lease-purchase option or a development icon or model of the Santa Fe County Sustainable Growth Management Plan. The site analysis of the property consists of areas designated for development and areas designated for conservation pursuant to Resolution 2012-106. All proposals submitted must meet these requirements. All proposals submitted shall be valid for one hundred twenty (120) days subject to action by the County. Santa Fe County reserves the right to reject any and all proposals in part or in whole. A completed proposal shall be submitted in a sealed container indicating the proposal title and number along with the Offeror's name and address clearly marked on the outside of the container. **All proposals must be received by 2:00 PM (MST) on Wednesday, December 3, 2014 at the Santa Fe County Purchasing Division, 142 W. Palace Avenue (Second Floor), Santa Fe, NM 87501.** By submitting a proposal each Offeror is certifying that their proposal complies with regulations and requirements stated within the Request for Proposals.

A **Pre-Proposal Conference** will be held on **Thursday, November 13, 2014 at 2:00 PM (MST) at the Santa Fe County Projects & Facilities Division located at 901 W. Alameda, Suite 20-C, Santa Fe, NM 87501.** Although attendance at the pre-proposal conference is not mandatory it is ***strongly recommended*** that all interested Offerors attend. The purpose of this meeting is to explain the project and provide detailed information about the project purpose, the County's role in the project and the procurement process, including submittal requirements and evaluation criteria. The County will attempt to respond to all questions and provide necessary information at the meeting; however, the County may require questions or comments to be submitted in writing before the County responds in addenda format or if a response requires the County to conduct additional inquiry or research.

EQUAL OPPORTUNITY EMPLOYMENT: All qualified Offerors will receive consideration without regard to race, color, religion, sex, national origin, ancestry, age, physical and mental handicap, serious mental condition, disability, spousal affiliation, sexual orientation or gender identity.

Request for proposals will be available by contacting Bill Taylor, Procurement Manager, 142 W. Palace Avenue (Second Floor), Santa Fe, New Mexico 87501, by telephone at (505) 986-6373 or by email at wtaylor@santafecountynm.gov or on our website at http://www.santafecountynm.gov/services/bid/current_solicitations

PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED ABOVE WILL NOT BE CONSIDERED AND WILL BE REJECTED BY SANTA FE COUNTY.

Santa Fe County
Purchasing Division
Publish: November 9 & 10, 2014

II. CONTRACT OBJECTIVES

A. PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)

In November 2009, Santa Fe County acquired 470.55 acres of ranch land known as the Santa Fe Canyon Ranch located near the traditional community of La Cienega, south of the City of Santa Fe, New Mexico. The name of the property was formerly changed to La Bajada Ranch in order to recognize the historical name originally given to the property and to distinguish the current planning efforts from previous development plans.

In August 2012 the Santa Fe County Board of County Commissioners (BCC) passed Resolution 2012-106 (see Exhibit A) establishing a Steering Committee for the purpose of evaluating proposed development alternatives to be presented to the BCC for consideration.

County staff completed a land suitability analysis that determined which portions of the property are suitable for development and which portions should be reserved as conservation land. The County is requesting proposals from qualified Offerors that will meet the criteria of Resolution 2012-106 and comply with the area designations from the land suitability analysis. The proposals may either be an offer to purchase or lease-purchase the property or it may be a proposal to plan, design, install and operate projects for the areas designated for development and those areas designated for conservation.

B. SCOPE OF WORK

The County wants to sell, lease or partner for the subject site to an offeror who will be successful in developing the property consistent with the County's Sustainable Growth Management Plan (SGMP) and the current Sustainable Land Development Code as well as the Conservation and Development designations of the ranch to include, but not limited to, the following:

- Land uses and development projects will be compatible with the land, will respect the surrounding communities and local agricultural practices, and will be sustainable.
- Development projects will strive to serve the diverse needs of the greater Santa Fe County residents.
- Development standards will conform to the goals and strategies in the Sustainable Growth Management Plan (see Exhibit B).
- Development projects will strive to maximize the Santa Fe County's investment in the property while adhering to the strict set of development criteria.
- Development will conserve the unique cultural, agricultural, historical and biological resources of the property.

- Any results of the Development must incorporate and model the current Santa Fe County Sustainable Growth Management Plan and incorporate the current Land Development Code.

Conservation Property shall:

- Support a community function for the greater county community;
- Support tourism;
- Be self-supporting;
- Support conservation of the natural environment;
- Help interpret the pre-history and history of Santa Fe County for county residents and visitors;
- Increase the conservation value of the property;
- Provide a service for under-served or at risk populations;
- Fill an economic development or social service niche for the County;
- Provide a unique service to the county;
- Improve the quality of the environment and quality of life for neighboring communities.

Development Areas shall:

- Be self-supporting;
- Increase revenue for the County;
- Provide a model for sustainable development;
- Provide a service for under-served or at risk populations;
- Avoid or mitigate negative impacts to the terrain, soils, and ecology of the property;
- Be “sustainable” as defined in the SGMP;
- Realize a market need;
- Fill an economic development or social service niche for the County;
- Provide a unique service to the County;
- Make strong economic sense and provides returns on the County’s existing investment;
- Provide a model for future development in other parts of the County;
- Support the long range economic development, tourism, or energy plans for the State of New Mexico;
- Fill a niche in the housing market;
- Improve the quality of the environment and quality of life for the neighboring communities.

C. PROCESS FOR THIS SOLICITATION

The RFP is a qualification-based selection which will enable the County to short-list three (3) or more Offerors based on their responses to the following specifications:

- 1) Technical competence;

- 2) Evidence of understanding the scope of work;
- 3) Capacity and Capability;
- 4) Past record of performance;
- 5) Proximity to or familiarity with the site.

The specific evaluation criteria are provided in more detail in Section V. SPECIFICATIONS and Section VI. EVALUATION OF PROPOSAL in this RFP.

After the proposals are evaluated and a short list is selected by the Evaluation Committee, short-listed firms will be provided with a minimum of four (4) interview questions that will comprise the oral/media presentation. As part of the oral/media presentation, the short-listed firms will be required to provide to the Committee a detailed design, specifications and implementation plan of their development proposal for the Ranch, including cost and/or offer.

D. EXISTING SITE CONDITIONS

La Bajada Ranch Findings of Fact:

Location: La Cienega and La Cieneguilla Community Planning Area Boundary

Boundary & Easement Plat of Lots 4G, 4H, and 4I: Filed on November 24, 2009 and recorded in Book 710, page 040, Santa Fe County

Warranty Deed: Filed November 25, 2009 (Total acres: 470.55)

- Tract: 4 G @ 188.70 acres (west tract)
- Tract 4H @ 141.47 acres (middle tract)
- Tract 4 I @ 140.38 acres (east tract)
- Subject to easements of record (Gas, electric, telephone)
- Excludes ownership to all oil, gas, hydrocarbons or minerals of whatever nature, within and underlying the premises

Purchase Price: \$7,000,000.

Appraised Price: \$7,520,000 (August 28, 2009)

Water Rights: 3 acre feet, domestic well: RG-29242-S

Applicable Community Plan: La Cienega and La Cieneguilla Community Plan, adopted via Resolution 2001-117 on August 14, 2001

- Current status of Plan: The community plan is being revised to reflect land use changes in the planning area boundary and consistency with the Sustainable Growth Management Plan (SGMP). Plan is expected to be completed by 2015.

- The text of the document is being revised to include SGMP directives applicable to the planning area.
- A future land use map has been drafted to illustrate proposed future land uses that include La Bajada Ranch and other adjacent private properties.

Applicable Ordinances: Santa Fe County Ordinance No. 2002-9: La Cienega and La Cieneguilla Traditional Community Planning Area and La Cieneguilla Traditional Community Zoning District. Current applicable provisions include:

- Zoning Density: Basin Fringe, maximum density is one dwelling unit per 50 acres
- Proof of 100 year water supply & covenants: one dwelling per 12 acres
- Density transfers allowed for preservation of community assets
- No new commercial zoning
- Community service facilities are permitted

Applicable Master Plan: Revised and Amended Master Plan for Santa Fe Canyon Ranch, LLC Final Order filed March 10, 2009. Master Plan approval is valid for a period of five years from the date of approval by the Board of County Commissioners (BCC) per Art. V, Sec.5.2.7 of the Code.

- Phase 1 and Phase 2 of the master plan applies to County property
- Phase 1: 80 Lots on 200 acres with an average density of 1 D/U per 2.5 acres
- Phase 2: 76 Lots on 199 acres with an average density of 1 D/U per 2.62 acres

Existing Site Conditions:

- Alamo Creek with large Cottonwoods/riparian corridor
- Bonanza Creek arroyo with intermittent flows
- FEMA 100 Year Flood Zone at Alamo Creek
- Slope conditions: range from 0-30%
- Vegetation: primarily open juniper woodland, interspersed with short grasses and associated shrubs and forbs.
- Archaeological Sites: 54 sites (seven were previously recorded) with 38 considered "significant" under Article VI, Section 3.2.13 of the Santa Fe County Development Code. Approximately 14 archeological sites are located within the three tracts.
- Soils: There are seven Soil Associations found on the site.
- Wildlife: federally endangered species (the southwest Willow Flycatcher) and a federally threatened species (the Mountain Plover) are/may be present on the subject property.

Access:

Road Access on the southwest via I-25 frontage road over the Thompson Overpass. East access via unpaved road off of Entrada La Cienega.

This area is an entry way into not only the extraordinary La Bajada area but also into the Community of La Cienega, the City of Santa Fe and other parts of the County.

Facilities:

Main House: 4229 Sq. Ft. - Guest House: 1,599 Sq. Ft

E. RESPONSIBILITY OF THE COUNTY

The County will be responsible for providing the land suitability analysis that was completed with meeting minutes of all community meetings with respect to the initial planning process executed by the County regarding the appropriate development of the property.

Public input for use of the La Bajada Ranch property has been solicited by Santa Fe County and the La Bajada Ranch Steering Committee through surveys and requests for suggestions and this information will also be made available to Offerors.

The County will be responsible for providing necessary reports, investigations, evaluations or studies performed on the property such as geotechnical, hydrological, easements, plats, surveys, archeological or other pertinent property information to the awarded offeror.

F. QUALIFICATIONS

The Offerors will be experienced in multiple-use planning and design for the development of properties with cultural and historical significance. Offerors will be requested to demonstrate successful experience in working collaboratively with rural communities. The development team must have a proven ability to secure construction and permanent financing. The development team must demonstrate a strong track record in property management concerning all aspects of marketing, leasing, income certification, ongoing operations and compliance.

G. PROCUREMENT MANAGER AND PROJECT MANAGER

The County has designated a Procurement Manager who is responsible for the conduct of this procurement whose name, address and telephone number is listed below. All deliveries via express carrier should be addressed as follows:

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501
Phone (505) 983-6373
Fax (505) 989-3243
wtaylor@santafecountynm.gov

Any inquiries or requests regarding this procurement should be submitted to the Procurement Manager in writing. Offerors may contact ONLY the Procurement Manager regarding the procurement. Other County employees do not have the authority to respond on behalf of the County.

H. DEFINITION OF TERMINOLOGY

This section contains definitions and abbreviations that are used throughout this procurement document.

“BCC” means the elected Board of County Commissioners.

“Close of Business” means 5:00 PM Mountain Standard Time or Mountain Daylight Time, whichever is in effect on the date given.

“Contract” or “Agreement” means a written agreement for the procurement of items of tangible personal property or services.

“Contractor” means a successful offeror who enters into a binding contract.

“County” means Santa Fe County.

“Determination” means the written documentation of a decision by the Procurement Manager including findings of fact supporting a decision. A determination becomes part of the procurement file.

“Desirable” The terms “may”, “can”, “should”, “preferably”, or “prefers” identify a desirable or discretionary item or factor (as opposed to “mandatory”).

“Developer” means a firm that is in the business of full property development to meet the owner’s overall plans in land conservation and projects that will serve the diverse needs of greater Santa Fe County residents.

“Evaluation Committee” means a body appointed by the County management to perform the evaluation of offeror proposals.

“Finalist” is defined as an offeror who meets all the mandatory specifications of this Request for Proposals and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

“Mandatory” The terms “must”, “shall”, “will”, “is required”, or “are required”, identify a mandatory item or factor (as opposed to “desirable”). Failure to meet a mandatory item or factor will result in the rejection of the offeror’s proposal.

“Offeror” is any person, corporation, or partnership who chooses to submit a proposal.

“Procurement Manager” means the person or designee authorized by the County to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

“Purchasing Division” means the Santa Fe County Purchasing Division, Administrative Services Department.

“Request for Proposals” or “RFP” means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“Responsible Offeror” means an offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

“Responsive Offer” or “Responsive Proposal” means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements.

III. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

A. SEQUENCE OF EVENTS

The Procurement Manager will make every effort to adhere the following schedule:

	<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1.	Issuance of RFP	Purchasing Division	11/9/14
2.	Pre-Proposal Conference	Purchasing/PW/Offerors	11/13/14
3.	Acknowledgement Form Due	Offerors	11/12/14
4.	Deadline to Submit Additional Questions	Offerors	11/17/14
5.	Response to Written Questions	Purchasing/PW	11/19/14
6.	Submission of Proposal (2:00 pm)	Offerors	12/3/14
7.	Proposal Evaluations	Evaluation Committee	12/4/14 thru 12/12/14
8.	Selection and Notification of Finalists	Evaluation Committee	12/12/14
9.	Oral/Media Presentation by Finalists	Offerors	TBD
10.	Best and Final Offers From Finalists (If Applicable)	Offerors	TBD
11.	Selection of Top-Rated Offeror	Evaluation Committee	TBD
12.	Negotiation of Purchase Contract With Selected Offeror	County/Offeror	TBD
13.	BCC Approval of Purchase Contract	BCC	TBD
14.	State Board of Finance Approval	Board of Finance	TBD

B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section III, Paragraph A.

1. Issuance of RFP

This RFP is being issued by the Public Works Department and the Purchasing Division.

2. Pre-Proposal Conference

A Pre-Proposal Conference is scheduled on the date indicated in the "Sequence of Events" at Section III.A. **The Pre-Proposal Conference will be held on Thursday, November 13, 2014 at 2:00 PM (MST) at the Santa Fe County Projects & Facilities Division located at 901 W. Alameda, Suite 20-C, Santa Fe, N.M. 87501.** Questions may be submitted at the Pre-Proposal Conference and up until the date indicated in the "Sequence of Events" at Section III.A. A public log will be kept of the names of potential offerors that attended the pre-proposal conference. Attendance at the pre-proposal conference is strongly recommended but is not mandatory.

3. Acknowledgement of Receipt Form Due

A potential Offeror should hand-deliver, return by facsimile or e-mail the "Acknowledgement of Receipt Form" provided as Appendix A to have its name and firm placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by close of business on the date indicated in the "Sequence of Events" at Section III.A.

The procurement distribution list will be used for the distribution of written responses to questions and any RFP addendums.

4. Deadline to Submit Additional Written Questions

Potential Offerors may submit written questions regarding this RFP until the close of business on the date indicated in the "Sequence of Events" at Section III.A. All written questions must be addressed to the Procurement Manager, listed in Section II, Paragraph G and sent via facsimile or e-mail. **Any contact with any other County staff member other than the Procurement Manager or designee named in this solicitation may be grounds for rejection of a proposal.**

5. Response to Written Questions

Written responses to written questions and any RFP addenda will be distributed on the date indicated in the "Sequence of Events" at Section III.A, to all potential

Offerors whose names appear on the procurement distribution list.

Additional written requests for clarification of distributed answers or addenda must be received by the Procurement Manager no later than one (1) day after the answers or addenda were issued.

6. Submission of Proposal

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN 2:00 P.M. (MOUNTAIN STANDARD TIME) ON DECEMBER 3, 2014. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be addressed and delivered to the Procurement Manager at the address listed herein and in Section II. G. Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the County's Request for Proposals (RFP# 2015-0031-PW/BT) and refer to the RFP number. Proposals submitted by facsimile or other electronic means will not be accepted.

Proposals must be delivered to:

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501

A public log will be kept of the names of all offeror organizations that submitted proposals. Pursuant to NMSA 1978, Section 13-1-116, the contents of any proposal shall not be disclosed to competing offerors prior to contract award.

7. Proposal Evaluation

The evaluation of proposals will be performed by an Evaluation Committee that is staffed by Bill Taylor, Procurement Manager and will be comprised of other County representatives. This process will take place during the timeframe indicated in the "Sequence of Events" at III.A. During this time, the Procurement Manager or designee may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. Discussions SHALL NOT be initiated by the Offerors.

8. Selection and Notification of Finalists

The Evaluation Committee shall select and the Procurement Manager shall notify the Finalist Offerors on the date indicated in the "Sequence of Events" at Section

III.A. Only Finalists will be invited to participate in the subsequent steps of the procurement.

9. Oral/Media Presentation by Finalists

Finalists will be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for all presentations. All presentations will be held at the Santa Fe County Purchasing Division, 142 W. Palace Avenue (Second Floor), Santa Fe, New Mexico. Each presentation will be limited to no more than one and one-half (1.5) hours in duration.

The oral/media presentations will include detailed information than what had been provided in the original submittal. The Procurement Manager will provide all short-listed offerors with a list of the additional information that must be presented as part of the oral/media presentation. The additional information may include site and building design, details on the proposed development program including features and requirements of the Santa Fe County Sustainable Growth Management Plan Model and conservation plan, detailed project financial plan and capabilities, and details on conditions of property ownerships both private and public partnerships. This information will afford the Evaluation Committee a more complete understanding of the type of project that would be developed on the sit and enable the Committee to determine which proposal would best address the intended purpose and use of the Ranch.

10. Best and Final Offers from Finalists (If Applicable)

Finalist Offerors may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers by the date indicated in the "Sequence of Events" at Section III.A.

11. Selection of Top-Rated Offeror

The Evaluation Committee shall select and the Procurement Manager shall notify the Top-Rated Offeror on the date indicated in the "Sequence of Events" at Section III.A.

12. Negotiation of Purchase Contract with Selected Offeror

The purchase contract or lease agreement with the selected offeror will be finalized for submittal to the BCC during the timeframe indicated in the "Sequence of Events" at Section III.A. In the event that mutually agreeable terms cannot be reached within the time specified, the County reserves the right to finalize an agreement with the next most advantageous Offeror without undertaking a new procurement process.

13. BCC Approval of Purchase Contract

The County anticipates approving the agreement on the date in the "Sequence of Events" at Section III.A. These dates are subject to change at the discretion of the Santa Fe County Procurement Manager and the BCC.

The agreement shall be approved with the Offeror whose proposal is most advantageous to the County, taking into consideration the evaluation factors set forth in the RFP. The most advantageous proposal may or may not have received the most points.

14. New Mexico State Board of Finance Approval of Purchase Contract

If the BCC approves the purchase contract as set forth above, the contract would be forwarded to the New Mexico State Board of Finance for approval. The Board of Finance must review and approve all real estate transactions proposed by local governments in New Mexico.

15. Right to Protest

Any protest by an Offeror must be timely and in conformance with NMSA 1978, Section 13-1-172 and applicable procurement regulations. Protests must be written and must include the name and address of the protestor and the request for proposals number. It must also contain a statement of grounds for protest including appropriate supporting exhibits. The protests must be delivered to the Santa Fe County Purchasing Division:

Santa Fe County
Attn: Procurement Office
P.O. Box 276
Santa Fe, New Mexico 87504

Protests will not be accepted by facsimile or other electronic means. Protests received after the deadline will not be accepted.

C. GENERAL REQUIREMENTS

This procurement will be conducted in accordance with Chapter 13, NMSA 1978, NMAC 1.4.1 and the Santa Fe County Procurement Regulations.

1. Acceptance of Conditions Governing the Procurement

Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal. Submission of a proposal which includes the letter of transmittal constitutes acceptance of the Conditions Governing the Procurement stated herein.

2. Incurring Cost

Any cost incurred by the offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the offeror.

3. Prime Contractor Responsibility

Any agreement that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of the agreement with the County. The County will sell or lease subject property to only the prime contractor.

4. Subcontractors

Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name. The prime contractor shall be wholly responsible for the entire performance whether or not subcontractors are used.

5. Amended Proposals

An offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. County personnel will not merge, collate, or assemble proposal materials.

6. Offeror's Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The offeror must submit a written withdrawal request signed by the offeror's duly authorized representative addressed to the Procurement Manager. The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

7. Proposal Offer Firm

Responses to this RFP will be considered firm for one hundred twenty (120) days after the due date for receipt of proposals or one hundred twenty (120) days after receipt of a best and final offer if one is submitted.

8. Disclosure of Proposal Contents

The proposals will be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The Procurement

Manager will not disclose or make public any pages of a proposal on which the offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements.

Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7, NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of data for which an offeror has made a written request for confidentiality, the Santa Fe County Procurement Manager shall examine the offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

9. No Obligation

This procurement in no manner obligates Santa Fe County or any of its departments to sale or lease of the subject site until a valid written agreement is created and approved by the appropriate authorities.

10. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the County determines such action to be in the best interest of the County.

11. Sufficient Appropriation

Any agreement awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations for clearance and preparation of the subject site, or any requested development subsidies do not exist. Such termination will be effected by sending written notice to the offeror. The County's decision as to whether sufficient appropriations and authorizations are available will be accepted by the offeror as final.

12. Legal Review

The County requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror concerns must be promptly brought to the attention of the Chief Procurement Officer.

13. Governing Law

This procurement and any agreement with offerors that may result shall be governed by the laws of the State of New Mexico.

14. Basis for Proposal

Only information supplied by the County in writing through the Chief Procurement Officer or in the RFP should be used as the basis for preparing offeror proposals.

15. Contract Terms and Conditions

The format and terms and conditions for the purchase or lease contract between the County and the selected offeror shall be set forth after offerors are short-listed.

16. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the County and the selected offeror and shall not be deemed an opportunity to amend the offeror's proposal.

17. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any offeror who is not a responsible offeror or fails to submit a responsive offer as defined in Sections 13-1-83 and 13-1-85 NMSA, 1978, subject to Procurement Manager approval.

18. Right to Waive Minor Irregularities

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee, subject to Procurement Manager approval.

19. Change in Contractor Representatives

The County has the right to require a change in contractor representatives if the assigned representatives are not, in the opinion of the County, adequately meeting its needs. Any change in contractor representatives must receive prior County approval.

20. Notice

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

21. County Rights

The County reserves the right to accept all or a portion of an offeror's proposal.

22. Right to Publish

Throughout the duration of this procurement process and contract term, potential offerors and contractors must secure from the County written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the offeror's proposal or termination of the contract.

23. Ownership of Proposals

All documents submitted in response to this Request for Proposals shall become the property of the County. However, any technical or user documentation submitted with the proposals of non-selected offerors shall be returned after the expiration of the protest period.

24. Electronic Mail Address Recommended

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). It is recommended that all offerors should have a valid e-mail address to receive this correspondence.

25. Preferences in Procurement by Santa Fe CountyA. ***New Mexico In-state Preference.***

New Mexico law, Section 13-1-22 NMSA 1978, provides a preference in the award of a public works contract for an “**in-state resident business**”. Application of a resident business preference for any Offeror requires the Offeror to provide a copy of a valid and current certificate as a resident business. Certificates are issued by the New Mexico Taxation and Revenue Department.

If an Offeror submits with its proposal a copy of a valid and current in-state resident business certificate, 5% of the total weight of all evaluation

factors used in the evaluation of proposals may be awarded or added to the Offerors score.

Certification by the New Mexico Department of Taxation and Revenue for the resident business takes into consideration such activities as the business' payment of property taxes or rent in the state and payment of unemployment insurance on employees who are residents of the state.

OR

B. *New Mexico Resident Veteran Preference.*

New Mexico law, Section 13-1-22 NMSA 1978, provides a preference in the award of a public works contract for a “**resident veteran business**”. Certification by the New Mexico Taxation and Revenue Department for the resident veteran business requires the Offeror to provide evidence of annual revenue and other evidence of veteran status.

An Offeror who wants the veteran business preference to be applied to its proposal is required to submit with its proposal the certification from the New Mexico Taxation and Revenue Department and the sworn affidavit attached hereto as Appendix C.

If an Offeror submits with its proposal a copy of a valid and current veteran resident business certificate, 10%, 8% or 7% of the total weight of all the evaluation factors used in the evaluation of proposals may be awarded or added to the Offeror's score, depending on the business' annual revenue.

The resident business preference is not cumulative with the resident veteran business preference.

AND

C. *Santa Fe County Preference*

Santa Fe County Ordinance 2012-4 provides for a **County preference** for a “Santa Fe County business.” Application of the County preference in procurement requires an Offeror to obtain and provide a Santa Fe County Business Certificate issued by the Santa Fe County Procurement Manager. Certification by the Procurement Manager takes into consideration the business' corporate standing in the state, business licensure or registration, the duration of the business' primary office location and the payment of taxes.

If an Offeror submits with its proposal a copy of its Santa Fe County Business Certificate issued by the Purchasing Manager, 5% of the total weight of all the evaluation factors used in the evaluation of proposals may be awarded to the Offerors score.

The in-state, veteran or County preferences do not apply to procurement of services or goods involving federal funds or federal grant funds.

Additional information about obtaining the certificate as a resident contractor and resident veteran contractor may be found at: <http://www.tax.newmexico.gov/Businesses/Pages/In-StatePreferenceCertification.aspx> and information about the Santa Fe County business Certificate at www.santafecounty.org (Quicklink Ordinances and Resolutions).

IV. RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES

An offeror shall submit one proposal in response to this RFP; an offeror cannot submit more than one proposal. An offeror who is short-listed will be invited to make an oral presentation which will require additional detailed information on the development proposal to be presented to the evaluation committee.

B. NUMBER OF COPIES

Offerors shall deliver one (1) original and five (5) identical copies of their proposal to the location specified in Section II, Paragraph G on or before the closing date and time for receipt of proposals.

C. PROPOSAL FORMAT

All proposals shall be limited to twenty (20) pages each, with the exception of professional licenses and certifications, which shall be added as appendices. The document shall be typewritten on standard 8 1/2 x 11 paper, with a font no smaller than 12 pt. pitch, with nominal 1" margins and normal line spacing. Proposals shall be placed within a binder with tabs delineating each section.

1. Proposal Organization

The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

- a) Letter of Transmittal
- b) Table of Contents
- c) Proposal Summary (optional)
- d) Submittal Requirements listed in Section V
- e) Campaign Contribution Disclosure Statement
- f) Separate cost proposal in an additional sealed envelope

Within each section of their proposal, offerors should address the items in the order in which they appear in this RFP under Section V., Paragraph B. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal.

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

The proposal summary may be included by offerors to provide the Evaluation Committee with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the offeror's proposal.

Offerors may attach other materials that they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

2. Letter of Transmittal

Each proposal must be accompanied by a letter of transmittal. The letter of transmittal MUST:

- a) Identify the submitting organization;
- b) Identify the name and title of the person authorized by the organization to contractually obligate the organization;
- c) Identify the name, title and telephone number of the person authorized to negotiate the contract on behalf of the organization;
- d) Identify the names, titles and telephone numbers of persons to be contacted for clarification;
- e) Explicitly indicate acceptance of the Conditions Governing the Procurement stated in Section III, Paragraph C.1;
- f) Be signed by the person authorized to contractually obligate the organization;
- g) Acknowledge receipt of any and all amendments to this RFP.

V. SPECIFICATIONS

A. GENERAL INFORMATION

In order to achieve success, the offeror must demonstrate that it has an experienced team with a track record in developing this type of project, and the financial strength necessary to implement and achieve the development project. It must also demonstrate that the proposal has a strong possibility of attaining neighborhood and community support. The requested submittal requirements described below will enable the County to conduct a satisfactory evaluation of the offeror's capabilities. The evaluation process will result in a short list of offerors who will be invited to make a detailed technical and financial presentation to the Evaluation Committee.

As part of their presentations, the short-listed firms will be invited to present a detailed development plan that will include information regarding their financial and programmatic commitment in the plan ranging from property purchase or lease to a public/private partnership. The specific information to be requested of the short-listed offerors will be provided by the Procurement Manager when the short-list is selected. The additional information may require Offerors to demonstrate financial capacity for purchase and program implementation, design details on the site plan that will comply with the development and conservation requirements pursuant to the SFC Sustainable Growth Management Plan as well as Resolution 2012-106.

B. MANDATORY SPECIFICATIONS

A brief explanation of the mandatory specifications for this RFP process is listed below. The specifications directly relate to the evaluation criteria to be used, as set forth in Section VI of this RFP. Information for the specifications may overlap information presented in a different specification. Offerors are encouraged to fully address and provide a thorough narrative for each specification as points are given for an Offeror's response used in each evaluation factor. Responses shall include information and past experience specific to the Offeror or Offeror's team submitting the proposal. An Offeror's discussion presented in each specification should be sufficiently detailed to inform and educate the Evaluation Committee members.

1. Technical Competence

- Provide information about the offeror's specific technical experience with multiple-use land development that demonstrates competence to successfully complete the project, including a joint venture or association.

2. Evidence of Understanding the Scope of Work

- Provide a brief narrative of the concept and vision of the development of the subject site and how the concept will be implemented consistent with the scope of work;

- Demonstrate basic understanding of the County's SGMP and current SLDC and how those guidelines will be implemented for the subject property;
- Demonstrate a thorough and detailed understanding of the requirements as outlined in Resolution 2012-106;
- Provide the management approach or plan specific to this property to include basic milestones to be accomplished and timelines.

3. Capacity and Capability

- Demonstrate financial capability that includes offeror's ability to provide sufficient financial proficiency to complete the purchase and or lease/purchase of the property;
- Indicate key project members including their specific roles, qualifications, credentials, experience, and responsibilities.

4. Past Record of Performance

- Provide information regarding any previous multiple land use management or development that demonstrates cost control, quality control and ability to meet schedules;
- Describe any particular difficulties encountered in past projects and how offeror addressed and resolved those issues.

5. Proximity to or Familiarity with the Project Area

- Demonstrate the firm's familiarity with the neighboring area in which the project is located;
- Describe any issues or challenges that may arise that could affect the project development.

6. In-State Resident Business Preference

If the Offeror's proposal contains a valid certificate as an In-state Resident Business, the preference in accordance with Section 13-1-21 NMSA 1978, will be applied.

7. Resident Veteran Business Preference

If the Offeror's proposal contains a valid certificate as a Resident Veteran Business, the preference in accordance with Section 13-1-21 and Section 13-1-22 NMSA 1978, will be applied.

8. Santa Fe County Business Preference

If the Offeror's proposal contains a valid certificate as a Santa Fe County Business, the preference in accordance with Santa Fe County Ordinance #2012-4 will be applied.

9. Written Cost Proposal in Sealed Envelope

For this RFP, each offeror shall provide one (1) cost proposal in a separate, sealed envelope. The offer can be to buy, or to lease/purchase or to plan, design, construct and operate the proposed property. The outside of the sealed envelope shall clearly indicate the RFP number, the offeror's name, address and the words "Cost Proposal".

VI. EVALUATION OF PROPOSALS

A. EVALUATION FACTORS

The Evaluation Committee will evaluate proposals as follows:

Each factor below has a maximum number of points that can be assigned to an Offeror’s proposal based on the thoroughness and responsiveness of the proposal and how the Offeror addresses each evaluation factor. The maximum number of points a proposal can receive based on the evaluation factors is **1000**. This does not include preferences that could be applied.

Evaluation Factors

- 1) Technical Competence **200 points**
- 2) Evidence of Understanding Scope of Work **300 points**
- 3) Capacity and Capability **200 points**
- 4) Past Record of Performance..... **100 points**
- 5) Proximity to or Familiarity with the Project Area **200 points**

TOTAL POINTS **1000 POINTS**

B. PREFERENCES

If a proposal contains an In-State Resident Business Certificate or Resident Veterans Business Certificate and/or Santa Fe County Business Certificate, the applicable preference will be applied.

Proposal contains a valid N.M. Resident Business Certificate **50 points**

OR

Proposal contains a valid Resident Veteran Business Certificate **70, 80 or 100 points**

AND

Proposal contains a valid Santa Fe County Business Certificate **50 points**

C. EVALUATION PROCESS

The evaluation process will follow the steps listed below:

1. All proposals will be reviewed for compliance with the mandatory specifications stated within the RFP. Proposals deemed non-responsive will be eliminated from further consideration.
2. The Procurement Manager or designee may contact the Offeror for clarification of the response as specified in Section III, Paragraphs B.7 and B.10.
3. Responsive proposals will be evaluated using the factors in Section VI. The responsible Offerors with the highest scores will be selected as short-listed finalist Offerors based upon the proposals submitted. Finalist Offerors who are asked or choose to submit revised proposals for the purpose of obtaining best and final offers will have their points recalculated accordingly. The responsible Offeror whose proposal is most advantageous to the County, taking into consideration the evaluation factors in Section VI, will be recommended for contract award following the process specified in Section III, Paragraph B. Please note, however, that a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

APPENDIX A**ACKNOWLEDGEMENT OF RECEIPT FORM****LA BAJADA RANCH DEVELOPMENT
RFP # 2015-0031-PW/BT**

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with Exhibit B.

The acknowledgement of receipt should be signed and returned to the Procurement Manager no later than close of business on **November 13, 2014**. Only potential offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all offeror written questions and the County's written responses to those questions as well as RFP amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

E-MAIL: _____ FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.

Firm does/does not (**circle one**) intend to respond to this Request for Proposals.

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501
Phone (505) 983-6373
Fax (505) 989-3243
wtaylor@santafecountynm.gov

APPENDIX B

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Prospective contractor” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature Date

Title (Position)

APPENDIX C

RESIDENT VETERANS PREFERENCE CERTIFICATION

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement.

Please check one box only:

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

I agree to submit a report or reports to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

In conjunction with this procurement and the requirements of this business application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, which awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

I understand that knowingly giving false or misleading information on this report constitutes a crime.

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)*

(Date)

*Must be an authorized signatory of the Business.

The representations made by checking the boxes constitutes a material representation by the business. Any finding that the statements are incorrect may result in denial of an award or un-award of the procurement involved.

SIGNED AND SEALED THIS _____ DAY OF _____, 2014.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

**SANTA FE COUNTY
RESOLUTION NO. 2012-106**

SEE ATTACHED PDF

EXHIBIT B

**SANTA FE COUNTY
SUSTAINABLE GROWTH MANAGEMENT PLAN
(SGMP)**

SEE ATTACHED PDF